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FM AMEMBASSY KUALA LUMPUR
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INFO ASEAN MEMBER COLLECTIVE PRIORITY
AMCONSUL SURABAYA PRIORITY
NCTC WASHINGTON DC PRIORITY
DEPT OF JUSTICE WASHINGTON DC PRIORITY
COMDT COGARD WASHINGTON DC PRIORITY
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NSC WASHDC PRIORITY
US CUSTOMS AND BORDER PROTECTION WASHINGTON DC PRIORITY
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SENSITIVE

STATE FOR S/CT, EAP/MTS, RSP
PACOM FOR JIACG, JIATF-W, SOCPAC
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SUBJECT: MALAYSIA HOSTS TRI-BORDER INTERAGENCY SECURITY
CONFERENCE

REF: KUALA LUMPUR 225

Summary

¶1. (SBU) The Tri-border Interagency Security Conference in Kota Kinabalu, Malaysia, May 4-7, 2008 brought together official maritime and border security delegations from Malaysia, Indonesia and the Philippines as well as facilitators from the U.S. Pacific Command and from Embassies Kuala Lumpur, Jakarta, Singapore and Manila. The small-group setting allowed for candid, intensive discussions and productive brainstorming. The tri-border nations provided updated information on their respective efforts to improve security in the tri-border region, including increasing the frequency of cross-border committee exercises, developing civilian maritime law enforcement agencies, and enhancing their domain awareness, in part with USG support.

¶2. (SBU) Building upon policy recommendations from the Trilateral Maritime Security Conference in Cebu, Philippines in August 2007, delegations identified additional actions that could be taken now to enhance capacity in the near-term. Some of these included implementing existing information sharing agreements, improving interagency cooperation within and among tri-border nations, and establishing transit corridors. Delegations described elements they believed necessary to achieve long-term regional security, including: updating border agreements to reflect non-traditional threats, developing more detailed analyses of the costs of regional insecurity, and exploring sectoral arrangements for coordinating regional patrols. The tri-border conference, jointly funded by PACOM's Joint Interagency Coordination Group (JIACG) and the State Department Coordinator for Counterterrorism, demonstrated how U.S. interagency cooperation can support of the Administration's Southeast Asia Counterterrorism Regional Strategic Initiative. End Summary.

Overlapping Priorities in the Tri-border

¶3. (SBU) In their opening presentations, the tri-border nations conveyed different, though overlapping security

priorities. The Indonesian delegation was led by Maj Gen Aryanto Boedihardjo, IG and Deputy Chief of the Indonesian National Police. He identified smuggling, illegal fishing, armed robbery at sea, terrorism and a worsening economic situation as causes for growing concern over stability in the tri-border region. He recognized that the border between Indonesia and Malaysia has yet to be clarified. The Indonesian delegation signaled the need for greater interagency cooperation between police, customs and the Coordinating Body for Maritime Law Enforcement (BAKORKAMLA). It also highlighted the need for improved patrol and communications capabilities. While some practical bilateral security agreements had been worked out between police forces, the delegation called for border committees to enhance their interagency participation, expanding beyond their origins as military-to-military forums. Finally, Indonesia announced the recent decision to form the Sea and Coast Guard, but noted that details about the new organization would have to await further legislation.

¶4. (SBU) The leader of the Malaysian delegation, RADM Dato' Jamil bin Osman, Joint Forces Headquarters Chief of Staff, spoke of the geo-strategic importance of the Sulu and Celebes seas as home to important sea lanes of communication and critical natural and economic resources. He recognized the need for more concrete outcomes from coordination, highlighting interagency efforts both internal to the GOM - as in the development of its Government Interoperable Radio

Network - as well as those involving donor assistance - such as with the USG Title 1206 radar program. While the delegation mentioned existing bilateral agreements and frameworks, some of which had recently seen increases in the tempo of joint cross-border operations, it also noted the lack of trilateral arrangements. The delegation signaled that certain multilateral forums might prove useful over the longer-term, such as the ASEAN Regional Forum for addressing security issues and the Brunei Indonesia Malaysia Philippines East Asia Growth Area's Customs Immigration Quarantine and Security (BIMP/EAGA-CIQS) cluster for consideration of port/border safety issues.

¶5. (SBU) The Philippine delegation head, Navy Captain Miguel Rodriguez, Director of the Coast Watch South Liaison Office, spoke of the tri-border region as vitally important for regional commerce, natural resources, fisheries, and tourism. He catalogued safety threats, including lack of infrastructure and aids to navigation; economic threats, including piracy, smuggling, and trafficking; environmental threats, including dynamite fishing and pollution; and security threats linked to terrorism and the MILF insurgency. While threats are manifold, the delegation noted the recent absence of major incidents, signaling that important "things are being done right." In this connection, the Philippines delegation cited numerous efforts to coordinate border patrols, exercises, and port security. The delegation discussed slow but resolute progress to create Coast Watch South as a single point of contact and coordination for maritime law enforcement activity in the Philippines' portion of the tri-border region.

Picking Up From Cebu

¶6. (SBU) Drawing on the recommendations from the third Trilateral Maritime Security Conference held in Cebu, Philippines in August 2007, former Philippine Defense Under Secretary Rodel Cruz explored measures to close the gap between long-standing bilateral agreements and a nascent trilateral framework. Cruz first underscored the context of major unilateral developments around the tri-border: creation of the Malaysian Maritime Enforcement Agency (MMEA), increased deployment of security forces in Sabah to safeguard the region's tourism industry and counter terrorist transit; Indonesia's recent creation of BAKORKAMLA and the Sea and Coast Guard; and the Philippines' development of Coast Watch South.

¶ 7. (SBU) Cruz highlighted the increasing frequency of bilateral operations and encouraged cross-border committees to develop interagency standard operating procedures, single points of contact, and information sharing agreements. He pointed to a number of bilateral initiatives: a recent agreement to increase Malaysia/Philippines joint border control operations from two to three times yearly; and the exchange of immigration personnel at border crossing points between Indonesia and the Philippines. Malaysia's Chief of Defense Forces recently announced the intention to consider using the "Eyes in the Sky" joint air patrol program, currently in the Straits of Malacca, along the land border between Malaysia and Indonesia on Borneo.

¶ 8. (SBU) Cruz noted that, compared to the areas within the region that are "bilateral," the portion of the region that is "trilateral" is quite small. He suggested that unilateral and bilateral trends belie slower progress within the trilateral arena. He spoke of the continuing need, six years to the day after it was signed, to operationalize the May 7, 2002 Agreement on Information Exchange and Establishment of Communication Procedures. The Agreement covers a range of border security and transnational crimes,

such as terrorism, money laundering, smuggling, piracy, trafficking, marine pollution, etc. Cruz also singled out multilateral agreements such as the 2007 ASEAN Convention on Counterterrorism, BIMP/EAGA and The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). Finally, he suggested leveraging trilateral cooperation in the Straights of Malacca, encouraging the parties to the MALSINDO agreement to allow Philippines observers.

Cooperation and Near-Term Capacity Building

¶ 9. (SBU) PACOM Future Operations and Plans Specialist, CAPT USCG (ret.) Steve Newell addressed the conference on fundamental aspects of building security capacity. Only a small part of the solution could be found using technology, he stressed. The need for cooperation exists regardless of the level of technology, and the present phase, during which equipment was still being acquired, offered an important window to improve interagency and international cooperation. Newell stressed that interagency coordination was necessary in order to effectively use situational awareness to interdict and eventually successfully prosecute transnational criminals. He noted the inverse relationship between the abundance of resources and the propensity to cooperate, but cautioned that the situation of any one agency was dynamic and likely to shift as responsibilities and authorities placed upon it were adjusted to reflect its resources. Delegations were divided into country groups along with facilitators from PACOM and from the respective embassy teams and asked to identifying short lists of policy or process improvements that would allow for near-term capacity improvements.

¶ 10. (SBU) Malaysia's delegation suggested: extending the Agreement on the Prevention of Incidents On and Over the High Seas (INCSEA) to include all government vessels, not just naval assets. It also proposed conducting a regional study to identify the costs of failing to counter illegal activity in the tri-border region. The group suggested establishing better interagency information sharing processes that could be introduced within bi- or tri-lateral forums such as the general border committees. It also recommended conducting operations to enable documentation of the extent of illegal fishing and of smuggling. Lastly it proposed establishing transit corridors linked to border crossing posts.

¶ 11. (SBU) For its part, the Philippines' delegation recommended improvements to its own interagency cooperation within Coast Watch South. In particular, the delegation suggested introducing standard operating procedures for

information sharing to prevent individual agencies being caught off-guard by the efforts of others. The delegation proposed increasing the specificity of the Coast Watch South Executive Order. Finally, it suggested expanding the mandate of border crossing committees to include broader interagency participation from both sides.

¶12. (SBU) The Indonesian delegation expressed an eagerness to generate more robust protocols for its internal interagency interoperability and information sharing. It resolved to press for high-level support for implementation of the 2002 Agreement on Information Sharing. It also supported the identification of single points of contact for border security. Lastly, it suggested establishing a technical working group to provide continuity between previous and future meetings and to prepare for the next Trilateral Maritime Security Conference which will be held in Indonesia. The group will consist of representatives from the Foreign Ministry, BAKORKAMLA, the Department of Fisheries, police, military, the newly established Sea and Coast Guard, and other interested organizations.

The Vision Thing

¶13. (SBU) Having identified specific suggestions for addressing near-term capacity building needs in each tri-border country, the delegations were divided into two multi-national interagency groups to explore various elements comprising their medium- and longer-term visions of the tri-border region. The delegates were asked to make non-binding recommendations that could guide specific future policy actions.

¶14. (SBU) Using the Straits of Malacca as an example for coordination success, both among littoral nations as well as for user nations or "donors," the delegations means of improving cooperation in the Sulu/Celebes Seas region. Delegates agreed on the need to document the economic impact of failing to improve regional security. Tri-border delegates drew the analogy from the Straits, where Lloyds of London's war-risk rating, by clearly articulating the costs associated with unresolved problems of piracy, catalyzed political commitment to cooperatively address shared security issues. Delegates agreed an important next-step was for each country to commission a national-level economic impact study detailing positive and negative consequences of improving regional security versus preserving the status quo of maritime, port and border security in the Sulu and Celebes Seas. Delegates also suggested that the three nations might pool their data within a common analytical framework and compare the results from the national-level studies. All three delegations stressed the value of using the results of such studies to inform political decision-making affecting legal and policy arrangements for cooperation as well as funding decisions about upgrading and improving security resources. In addition to an overarching economic analysis and national studies, the delegations suggested analyses focused on establishment of sea corridors linked to border crossing stations; a vessel registry data exchange; a vessel traffic management system; and new biometric systems for border crossing documentation. All called for implementation of the 2002 Agreement on Information Exchange and Establishment of Communications Procedures.

¶15. (SBU) Both break-out groups recognized that the ability to promote wider interagency collaboration across borders would need to begin at home with more robust forums within each nation to foster interagency relationship building. Accordingly, delegates voiced the need to update their current border agreements to suit non-traditional, transnational security challenges in order to better reflect the current threat environment. They imagined that in the future, tri-border states would conduct continuous, coordinated patrols under such revised border agreements. They suggested developing regional training standards, exchanges, curricula and facilities to include coastal issues and integrate civilian enforcement personnel. They proposed

adopting continuous improvement of interagency coordination processes, drawing lessons from neighboring states. They suggested establishing crossing corridors aligned with "joint" or co-staffed border crossing stations. The delegations additionally proposed developing and refining proximate sectors or "Areas of Responsibility" assigned to each nation and coordinating air and maritime patrols of those sectors in a manner similar to that used in the Straits of Malacca (i.e. MALSINDO and "Eyes in the Sky"). Delegates proposed the name "MALPHILINDO" for such a proximate "sectoring" arrangement and combined patrols. Finally, delegations recommended combined multi-agency table-tops and exercises to support long-term multinational interoperability of communications platforms and systems.

¶16. (SBU) Strengthening sustainability through the cultivation of greater civic responsibility represented another thread running through the discussion. Delegates emphasized the need to develop effective feedback mechanisms to authorities from affected populations through, for example, broader use of "community based policing" and neighborhood watch-type organizations. They discussed establishing rewards programs in conjunction with enhanced public involvement, awareness and education regarding border and environmental protection issues. They proposed providing incentives for responsible tourism activity and community involvement in local tourism development, including "homegrown" specialties such as dive masters, local guides, craft producers, and managers of sustainable marine resources. Longer-term, they envisioned developing coordinated multi-year regional sustainable economic development programs along with public education curricula for the next generation to include environmental protection, sustainable development, and coastal resource management.

¶17. (SBU) The two groups proposed making better use of existing multilateral forums. For safety and trade-related issues, they agreed that there was more that could be done in the context of the BIMP-EAGA CIQS cluster. They proposed establishing procedures for expediting perishable goods through single shared checkpoints (instead of through two distinct national ones). They encouraged reviewing lists of prohibited goods and sharing them across borders. Regarding security-related issues, the groups proposed supporting the development of an ASEAN maritime forum. They also proposed tailoring existing exercises to address the development of multilateral capabilities. The groups suggested that work continue to ensure compliance with international cargo, sea and airport security standards (ISPS/CSI/ICAO); to operationalize the Information Sharing Center under ReCAAP; and to expand shared databases (ASEANPOL). Other suggestions included: supporting the Sulu-Sulawesi Large Marine Eco-Region Project; enforcing the Illegal, Unregulated, Unreported (IUU) Fishing Convention; ratifying and enforcing the Ramsar Convention on Wetlands; and establishing a portion (or portions) of the Sulu-Sulawesi Sea as a "Particularly Sensitive Sea Area" (PSSA) or Marine Environmental High Risk Area (MERA).

Delegations

¶18. (U) The Malaysian hosts had the largest delegation. It was led by RADM Dato' Jamil bin Osman, Joint Forces Headquarters Chief of Staff and included: Abd Rahim Hussin, NSC Under Secretary for Maritime Policy; FADM Martitime Zulkifli bin Abu Baker, Malaysian Maritime Enforcement Agency; Deputy Director Tuan Rosdi bin Mudah, Royal Malaysian Customs; ACP Abd Manaf bin Othman, Royal Malaysian Marine Police; ACP Ahmad bin Haji Kenajaan, Royal Malaysian Police Special Branch; Rizany Irwan bin Ishak, MFA Principal A/S for Maritime Affairs; and Hamza bin Ishak, NSC Principal A/S for Maritime Policy.

¶19. (U) The Indonesian delegation was led by Maj Gen Aryanto Boedihardjo, IG and Deputy Chief of the Indonesian National Police Uniformed Patrol Division. It included: High

Commissioner Isnarno, Deputy Commander of the National Police Maritime Police Unit; Jonggung Sitorus, Transport Department Chief of Marine Safety; and Hendi Santosa, Law and Human Rights Department Chief of the Sub-Directorate of Law of the Sea and Air.

¶20. (U) The Philippines' delegation was led by Philippine Navy Captain Miguel Rodriguez, Director of the Coast Watch South Liaison Office. It included: Senior Superintendent

Ferdinand Yuzon, Chief of Staff of the Philippine Maritime Group (PMG); Chief Inspector Oliver Tanseco, PMG Chief of Operations and Plans; Winston Almeda, MFA Special Assistant to the U/S for Ocean Concerns; Marine Major Marcelino, Philippines Drug Enforcement Agency; and Jesse Pascsio, Coast Watch South researcher.

COMMENT

¶21. (SBU) While the many near- and longer-term recommendations tabled by the conference delegates were non-binding, at least two of the delegations are forming groups to follow-up on the conference outcomes. One of the recurring themes among the recommendations was the need for a broader interagency approach to tri-border security. Working together, embassy teams and PACOM can leverage events such as this conference, exercises, and ongoing capacity and resource-building programs (e.g. Titles 1206/1207/1210) to reinforce in practice a whole of government approach with our host nation counterparts. On the sixth anniversary of its signing, the tri-border delegations recognized the continuing need to implement the 2002 Agreement on Information Exchange and Establishment of Communication Procedures. Embassies and Washington might consider whether and how to help focus tri-border governments' attention on the benefits of implementing this agreement.

¶22. (SBU) Delegations acknowledged the political benefit of quantifying costs linked to insecurity in the tri-border area, as was done in the Straits of Malacca. They noted that such a clearly-articulated cost of insecurity in the tri-border region was lacking, and wondered whether it could be quantified. A question worthy of USG interagency consultation would be whether we could provide or help fund a well-focused, action-oriented research project that would be useful to the tri-border countries as they seek to analyze and to derive clear policy conclusions about the opportunity costs of continued regional threats.

¶23. (SBU) Looking ahead to the next Trilateral meeting in late 2008, we are eager to learn more about the Indonesian delegation's pledge to create a technical working group to prepare for the trilateral conference, and how we may be of support. Delegations and USG partners are keen to take stock of recommendations made to date and to assess tangible progress toward implementation. The Kota Kinabalu conference showed that all participants are well-served by early, cooperative engagement not only to establish parity and broad interagency representation among delegations, but also to lay the groundwork for concrete outcomes from the proceedings.

END COMMENT.

¶24. (U) This cable has been cleared by Embassies Kuala Lumpur, Jakarta, Manila, and DHS/Singapore, USPACOM/JIACG and SOCPAC.

KEITH